

# Court of Appeals, State of Michigan

## ORDER

People of MI v Teresa Ann Chahine

Docket No. 283057

LC No. 06-013845-FH

Kirsten Frank Kelly  
Presiding Judge

Michael J. Talbot

Karen M. Fort Hood  
Judges

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The Court orders that the motion to remand to allow the court reporter to record and make a transcript of an audio recording that was admitted as an exhibit and played at defendant-appellant's trial is DENIED. There is no requirement that the audio recording be recorded and transcribed as part of the record; the audio recording is part of the record as an exhibit, which may be played and reviewed by this Court. See MCR 7.210(A)(1); MCR 8.108(B). The Court directs that the recording be filed with the trial court clerk, see MCR 7.210(C), and included with the rest of the record to be transmitted to this Court pursuant to MCR 7.210(G). The trial court clerk shall afford defendant-appellant's counsel and the prosecution the opportunity to hear and obtain a copy of the recording.

The Court further orders, pursuant to MCR 7.216(A)(7), that defendant-appellant's brief is STRICKEN, the brief being based upon the faulty premise that the lack of a transcript of the audio recording renders the record incomplete. If defendant-appellant files a replacement brief within 35 days after the Clerk's certification of this order, the brief shall be considered timely filed.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

**OCT 28 2008**

Date

*Sandra Schultz Mengel*  
Chief Clerk